



## Labor and Workforce Development

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CHARLIE BAKER  
GOVERNOR

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## Gov. Baker Unveils Workers' Compensation Pilot for Opioid-Related Cases

**FOR IMMEDIATE RELEASE:**  
**December 8, 2016**

**BOSTON** — Today, Governor Charlie Baker joined Secretary of Labor and Workforce Development Ronald L. Walker, II and Secretary of Health and Human Services Marylou Sudders to announce a new voluntary program to assist injured workers who have settled workers' compensation claims get treatment for pain management, aimed at limiting the use of opioids or other narcotics.

"Coordinating alternative viable chronic pain management options between an injured worker and their insurance company can reduce the chance of addiction to prescription opioids," said **Governor Charlie Baker**. "Judges have seen a rising number of overdoses and deaths as these proceedings play out in the courts and this pilot will help resolve cases more swiftly as another tool for fighting the opioid epidemic."

The program seeks to resolve court cases more swiftly by assigning a care coordinator to mediate treatment options between an injured worker and the insurance company paying for medical care.

"This program is an important tool for changing behaviors and curbing the devastating opioid epidemic impacting Massachusetts," said **Lt. Governor Karyn Polito**. "Instead of sending injured workers home with prescription opioids to ease the pain in the short term, we can assist them in understanding the long-term repercussions and other pain management options available to them."

Workers compensation cases are handled by judges in the Department of Industrial Accidents, an agency within the Executive Office of Labor and Workforce Development.

"This program can help to increase trust between injured workers and their insurers to ensure what's best for an individual's health and recovery," **Labor and Workforce Development Secretary Ronald L. Walker, II said**. "We hope the acceptance of this mediation process by both sides will offer opportunities that lead to better care and fewer cases of addiction."

Massachusetts is one of the first states to implement this type of program for workers' compensation cases involving long-term opioid use. Ohio launched a similar program in October, and in January, 2017, New York will begin allowing parties to request an expedited hearing before a judge for cases involving over-use of medication.

"It is important that we help individuals get effective treatment in order to recover from addictions and get back to work. We know that treatments can lead to recovery," **Secretary of Health and Human Services Marylou Sudders said**. "Care coordination is especially important to guide workers to the appropriate treatment and recovery support services."

The pilot program is designed for individuals with settled workers' compensation cases, who are still being treated with opioids, but the insurance company seeks to stop payment for continued-use of opioids. These types of cases can take up to a year to settle while an individual is continually prescribed opioids.

"In my courtroom, I have seen too many people become addicted to drugs due to a work injury," **Department of Industrial Accidents Senior Judge Omar Hernandez said**. "We felt their frustration and were pleased to work toward a pilot that we believe will help these individuals find a better way to address their injuries."

The program will be voluntary for both the injured worker and the insurance company. There will be no additional costs to the state to implement the new process, which fast-tracks court proceedings to mediation and assigns a care coordinator. In developing the program, the Department of Industrial Accidents sought input from insurers, injured workers, physicians, and substance-use specialists.

A nine-person committee is being formed to oversee the pilot program, consisting of:

- **Henry Bratcher**, of Engelberg, Bratcher & Kenner, a Boston law firm
- **Dr. Roberto Feliz**, a specialist in pain management
- **DIA Senior Judge Omar Hernandez**
- **Deborah G. Kohl**, an attorney who represents injured employees
- **Jessica Muradian**, deputy chief of staff for the Executive Office of Labor and Workforce Development

- **Tracey Nicolosi**, assistant director of Quality Assurance and Licensing at the Massachusetts Department of Public Health
- **Judy Walden Scarafile**, a registered pharmacist and a member of the Regional Substance Abuse Council for Barnstable County
- **Dr. Tony Tannoury**, assistant professor of Orthopaedic Surgery at Boston University School of Medicine and director of spine services at Boston Medical Center
- **AFL-CIO President Steven Tolma**